



## DIVISION OF WATER RESOURCES MINING SECTION

### Public Participation Opportunities Request for Public Comments Draft Permit Actions

December 7, 2018

**Public Notice: M2018-20**

**Last Day to Comment: January 10, 2019**

The purpose of this notice is to advise the public of the following draft environmental permits and to solicit comments and information necessary to evaluate the potential impact of the proposed activities on human health and the environment. The draft permits are available on the Division's *Data Viewer* at the web address: [http://environment-online.tn.gov:8080/pls/enf\\_reports/f?p=9034:34001](http://environment-online.tn.gov:8080/pls/enf_reports/f?p=9034:34001).

The Division has made the determination that the following NPDES permit applications are complete as required by Rule 0400-40-03-.06(1)(c).

### Individual NPDES Permits

#### Coal Proposed Modifications

Applicant	<b>Kopper Glo Mining, LLC</b>				
Facility	<b>Ben's Branch Mine</b>				
Permit Number	<b>TN0079286</b>	Permit Writer Initials	<b>DAT</b>	Discharge Rating	<b>Minor</b>
County	<b>Claiborne</b>			EFO Name	<b>Knoxville</b>
Street Address	1197 Rock Creek Ridge Road				
City and Zip Code	Clairfield 37715				
Description of Activity	Bituminous Coal Underground Mining				
Effluent Description	Treated wastewater and storm water				
Receiving Stream	Unnamed tributary to Tackett Creek				
Facility Location	Latitude	36.50083	Longitude	-83.91778	
Applicant	<b>Kopper Glo Mining, LLC</b>				
Facility	<b>Tackett Creek Surface Mine No. 2</b>				
Permit Number	<b>TN0079791</b>	Permit Writer Initials	<b>DAT</b>	Discharge Rating	<b>Minor</b>
County	<b>Claiborne</b>			EFO Name	<b>Knoxville</b>
Street Address	1197 Rock Creek Ridge Road				
City and Zip Code	Clairfield 37715				
Description of Activity	Bituminous Coal Surface Mining				
Effluent Description	Treated wastewater and storm water				
Receiving Stream	Unnamed tributary to Tackett Creek				
Facility Location	Latitude	36.51027	Longitude	-83.92055	

### Coal Proposed Modification/Reissuance

Applicant	<b>LCC Tennessee, LLC</b>				
Facility	<b>Glady Fork Mine</b>				
Permit Number	<b>TN0054127</b>	Permit Writer Initials	<b>DAT</b>	Discharge Rating	<b>Minor</b>
County	<b>Sequatchie</b>			EFO Name	<b>Chattanooga</b>
Street Address	Highway 111				
City and Zip Code	Dunlap 37327				
Description of Activity	Bituminous Coal Surface Mining				
Effluent Description	Treated wastewater and storm water				
Receiving Stream	Glady Fork				
Facility Location	Latitude	35.53333	Longitude	-85.46222	

### Coal Proposed Reissuance

Applicant	<b>Lexington Coal Company, LLC</b>				
Facility	<b>Morganville Surface Mine 3 / Deep Mine 62</b>				
Permit Number	<b>TN0054321</b>	Permit Writer Initials	<b>DAT</b>	Discharge Rating	<b>Minor</b>
County	<b>Marion</b>			EFO Name	<b>Chattanooga</b>
Street Address	Kelly Creek Road				
City and Zip Code	Whitwell 37397				
Description of Activity	Bituminous Coal Surface and Underground Mining				
Effluent Description	Treated wastewater and storm water				
Receiving Stream	Robinson Branch				
Facility Location	Latitude	35.27500	Longitude	-85.49888	

### Non-Coal Proposed Reissuance

Applicant	<b>American Sand Company, LLC</b>				
Facility	<b>50 Acre Tract</b>				
Permit Number	<b>TN0066231</b>	Permit Writer Initials	<b>GEK</b>	Discharge Rating	<b>Minor</b>
County	<b>Putnam</b>			EFO Name	<b>Cookeville</b>
Street Address	Rocky Point Road				
City and Zip Code	Monterey 38574				
Description of Activity	Construction Sand and Gravel Mining				
Effluent Description	Treated wastewater and storm water				
Receiving Streams	Unnamed tributary to Falling Water River Unnamed tributary to Dry Valley				
Facility Location	Latitude	36.13269	Longitude	-85.34750	

### Coal Proposed Termination

Applicant	<b>Kopper Glo Mining, LLC</b>				
Facility	<b>Mine Area 4</b>				
Permit Number	<b>TN0069191</b>	Permit Writer Initials	<b>DKC</b>	Discharge Rating	<b>Minor</b>
County	<b>Campbell</b>			EFO Name	<b>Knoxville</b>
Street Address	Davis Creek Road				
City and Zip Code	Duff 37729				
Description of Activity	Bituminous Coal Surface Mining				
Effluent Description	Treated wastewater and storm water				
Receiving Streams	Davis Creek, Hogcamp Branch, Granny Branch				
Facility Location	Latitude	36.49380	Longitude	-84.02690	

### Non-Coal Proposed Termination

Applicant	<b>J. R. Hayes Construction Company, Inc.</b>				
Facility	<b>Mine 3</b>				
Permit Number	<b>TN0068985</b>	Permit Writer Initials	<b>DKC</b>	Discharge Rating	<b>Minor</b>
County	<b>Henry</b>			EFO Name	<b>Jackson</b>
Street Address	Oak Grove Road				
City and Zip Code	Buchanan 38222				
Description of Activity	Construction Sand and Gravel Mining				
Effluent Description	Treated wastewater and storm water				
Receiving Stream	Beaverdam Creek				
Facility Location	Latitude	36.39096	Longitude	-88.18355	

### List of Permit Writers-Mining Section

<b>DAT</b>	Dave Turner	865-594-5541	<a href="mailto:Dave.Turner@tn.gov">Dave.Turner@tn.gov</a>
<b>DKC</b>	Dennis Conger	865-594-5555	<a href="mailto:Dennis.Conger@tn.gov">Dennis.Conger@tn.gov</a>
<b>DPL</b>	Daniel Lawrence	865-594-5543	<a href="mailto:Daniel.Lawrence@tn.gov">Daniel.Lawrence@tn.gov</a>
<b>DRM</b>	Dan Murray	865-594-5549	<a href="mailto:Dan.Murray@tn.gov">Dan.Murray@tn.gov</a>
<b>GEK</b>	Geoff Klein	865-594-5527	<a href="mailto:Geoff.Klein@tn.gov">Geoff.Klein@tn.gov</a>
<b>LCK</b>	Logan Kennedy	865-594-5545	<a href="mailto:Logan.Kennedy@tn.gov">Logan.Kennedy@tn.gov</a>

### Environmental Field Offices

Chattanooga Environmental Field Office  
1301 Riverfront Parkway Suite 206  
Chattanooga, TN 37402-2233  
(423) 634-5745 or 1-888-891-8332

Columbia Environmental Field Office  
1421 Hampshire Pike  
Columbia, TN 38401-5611  
(931) 380-3371 or 1-888-891-8332

Cookeville Environmental Field Office  
1221 South Willow Avenue  
Cookeville, TN 38506-4107  
(931) 520-6688 or 1-888-891-8332

Jackson Environmental Field Office  
1625 Hollywood Drive  
Jackson, TN 38305-4316  
(731) 512-1300 or 1-888-891-8332

Johnson City Environmental Field Office  
2305 Silverdale Road  
Johnson City, TN 37601-4322  
(423) 854-5400 or 1-888-891-8332

Knoxville Environmental Field Office  
3711 Middlebrook Pike  
Knoxville, TN 37921-6538  
(865) 594-6035 or 1-888-891-8332

Nashville Environmental Field Office  
711 R. S. Gass Boulevard  
Nashville, TN 37216-2637  
(615) 687-7000 or 1-888-891-8332

Memphis Environmental Field Office  
8383 Wolf Lake Drive  
Bartlett, TN 38133-4119  
(901) 371-3000 or 1-888-891-8332

### **How to Comment**

The Tennessee Department of Environment and Conservation (TDEC) is requesting public comments on the permit actions. Obtaining a broad range of facts and opinions on Agency actions is one of the best ways to ensure quality decisions. Persons wishing to comment on the proposed actions may submit comments in writing to the Mining Section at the Knoxville Environmental Field Office, Attn: Public Notice Coordinator; by fax (865) 594-6105; or by e-mail [Dennis.Conger@tn.gov](mailto:Dennis.Conger@tn.gov). The Division must receive your comments before the close of the comment period (see page 1).

### **How to Request a Public Hearing**

Interested persons may request in writing that the Director of the Division of Water Resources hold a public hearing on any application. The Division must receive your request before the close of the comment period. You must indicate the interest of the party filing it and the reasons for the hearing. When there is significant public interest for a hearing, the Division will hold a hearing in accordance with *Rule 0400-40-05-.06 (12)*. A separate public notice will announce the public hearing.

### **How the Department Will Proceed**

The Director of the Division of Water Resources will determine the final permit action after considering comments submitted during the comment period, the hearing record, if any, and the requirements of Federal and State acts and regulations.

### **To Obtain Permit Details**

Draft permits contain Antidegradation Determinations and Rationales that address information concerning the foundation for the Division's decisions. Copies of the applications, draft permits, and supporting documentation are in the permit files maintained at the Knoxville Environmental Field Office, Mining Section. There is a nominal fee for copying. The files are available for public inspection during normal visiting hours. Please email [Kara.Blevins@tn.gov](mailto:Kara.Blevins@tn.gov) or call (865) 594-5460 to schedule an appointment for the review.

### **State of Tennessee Antidegradation Policy**

Tennessee's Antidegradation Statement is in *Rule 0400-40-03-.06* of the Tennessee Department of Environment and Conservation. The primary purpose of the Antidegradation Policy is to establish a greater level of protection for high quality waters. Some high quality waters are in near-pristine condition. Others are determined to be high quality due to specialized uses and/or unique features.

Generally, there are two types of high quality waters. Outstanding National Resource Waters (ONRWs) receive the greatest level of protection. The Board of Water Quality, Oil and Gas designates these waters. New discharges or expansion of existing discharges cannot degrade existing water quality.

The Department identifies other high quality waters known as Exceptional Tennessee Waters (ETWs) and protects against their degradation. The Department may allow some degradation if the Department deems it economically and socially necessary.

Non-Exceptional Tennessee Waters refer to surface waters that do not have the identification and/or designation as high quality. These waters must achieve and maintain Tennessee's Water Quality Standards.

### **State of Tennessee Policy of Non-Discrimination**

Pursuant to the State of Tennessee's policy of non-discrimination, the Tennessee Department of Environment and Conservation does not discriminate on the basis of race, sex, religion, color, national or ethnic origin, age, disability, or military service in its policies, or in the admission or access to, or treatment or employment in its programs, services or activities. You may direct any Equal Employment Opportunity/Affirmative Action inquiries or complaints to the EEO/AA Coordinator, Office of General Counsel, William R. Snodgrass - TN Tower, 312 Rosa L. Parks Avenue, Nashville, TN 37243-1102 or telephone 1-888-867-7455. Direct any Americans with Disabilities Act (ADA) inquiries or complaints to the ADA Coordinator, Human Resources Division, William R. Snodgrass - TN Tower, 312 Rosa L. Parks Avenue, 2<sup>nd</sup> Floor, Nashville, TN 37243-1102 or telephone 1-888-867-7455. Hearing impaired callers may use the Tennessee Relay Service (1-800-848-0298). If it is hard for you to read, speak, or understand English, TDEC may be able to provide translation or interpretation services free of charge. Please contact Saul Castillo at 615-532-0462 for more information.